

WEDNESDAY, JANUARY 31, 2001

THIRD LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Curtiss.

Representative Curtiss led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....98

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Brown; illness.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 24: Rep(s). Kent and Stanley as prime sponsor(s).

House Joint Resolution No. 26: Rep(s). Kent and Stanley as prime sponsor(s).

MESSAGE FROM THE SENATE
January 30, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 16; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

SIGNED
January 30, 2001

The Speaker signed the following: Senate Joint Resolution(s) No(s). 16.

MESSAGE FROM THE SENATE
January 31, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 28 and 42; adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

Senate Joint Resolution No. 28 -- Memorials, Sports - Red Bank High School football team, 2000 Tennessee Secondary School Athletic Association Class 5A state champion. by *Fowler, *Crutchfield.

Senate Joint Resolution No. 42 -- Budget Procedures - Authorizes governor to transmit fiscal year 2001-2002 budget document to general assembly not later than February 20, 2001. by *Atchley.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Resolution No. 6 -- Court Rules - Approves amendments and revisions to Tennessee Rules of Appellate Procedure promulgated by supreme court. by *Buck.

House Judiciary Committee

House Resolution No. 7 -- Court Rules - Approves amendments and revisions to Tennessee Rules of Evidence promulgated by supreme court. by *Buck.

House Judiciary Committee

House Resolution No. 8 -- Court Rules - Approves amendments and revisions to Tennessee Rules of Civil Procedure promulgated by supreme court. by *Buck.

House Judiciary Committee

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House Resolution No. 9 -- Court Rules - Approves amendments and revisions to Tennessee Rules of Criminal Procedure. by *Buck.

House Judiciary Committee

***House Joint Resolution No. 27** -- General Assembly, Studies - Creates special joint committee to study solid waste management and planning in areas of rapid urban growth. by *Scroggs.

House State and Local Government Committee

***House Joint Resolution No. 28** -- Memorials, Congress - Urges finding of peaceful, permanent solution to conflict in Sudan. by *McDonald, *Miller L, *Turner (Shelby), *Brooks, *Bowers, *Fowlkes, *Williams (Williamson), *West, *Langster.

House State and Local Government Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 1, 2001:

House Resolution No. 5 -- Memorials, Death - Coach Hoyt Lewis Carroll. by *Boyer, *Kisber.

House Resolution No. 10 -- Memorials, Congratulations - Ms. Jean M. Dixon, University of Memphis. by *Kent.

House Joint Resolution No. 29 -- Memorials, Personal Occasion - Dr. and Mrs. Floyd H. Edwards, 50th Wedding Anniversary. by *Patton.

House Joint Resolution No. 30 -- Memorials, Sports - Greenback High School Cheerleaders. by *Overbey, *Johnson.

House Joint Resolution No. 31 -- Memorials, Personal Achievement - Beth Hood, Miss Tennessee 2000. by *Bunch.

House Joint Resolution No. 32 -- Memorials, Death - Mr. Wiley T. Bernard of Lebanon. by *Bone, *Beavers.

House Joint Resolution No. 33 -- Memorials, Death - Lebanon Fire Chief Henry Wiley Preston. by *Bone, *Beavers.

SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for February 1, 2001:

Senate Joint Resolution No. 28 -- Memorials, Sports - Red Bank High School football team, 2000 Tennessee Secondary School Athletic Association Class 5A state champion. by *Fowler, *Crutchfield.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

***House Bill No. 190** -- Radio and Television - Authorizes certain municipalities operating electric plant to provide cable service within county in which municipality is located under certain circumstances. Amends TCA Section 7-52-601. by *Rinks, *Naifeh.

***House Bill No. 191** -- TennCare - Establishes study committee to examine problems involving uninsurables under TennCare program including option of high-risk pools. Amends TCA Title 56 and Title 71. by *Caldwell.

***House Bill No. 192** -- TennCare - Establishes joint legislative study committee to make legislative recommendations to second session of 102nd General Assembly to implement proposals from commission on future of TennCare. Amends TCA Title 3; Title 56 and Title 71. by *Caldwell.

***House Bill No. 193** -- Motor Vehicles, Titling and Registration - Authorizes issuance of new specialty earmarked license plates for city of Oak Ridge; allocates 50 percent of funds produced from sale thereof to Oak Ridge PTA. Amends TCA Title 55, Chapter 4. by *Caldwell.

***House Bill No. 194** -- Highway Signs - "American Museum of Science and Energy," I-75, Anderson County. by *Caldwell.

***House Bill No. 195** -- Driver Licenses - Permits judge to order that restricted driver license issued following DUI conviction may be used to go to and from health care-related facilities for appointments and treatment in addition to other purposes for restricted license. Amends TCA Title 55, Chapter 10 and Title 55, Chapter 50. by *Westmoreland.

***House Bill No. 196** -- Taxes, Exemption - Removes gasoline and diesel tax from fuel sold at marinas to boats, motorboats, sailboats, and personal watercraft. Amends TCA Title 67, Chapter 3, Part 15. by *Bittle.

***House Bill No. 197** -- Motor Vehicles, Titling and Registration - Authorizes new specialty earmarked license plate for Knox Area Youth Recreation Ministry; earmarks 50 percent of funds produced from sale thereof, minus expenses, to benefit such organization. Amends TCA Title 55, Chapter 4. by *Bittle.

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***House Bill No. 198** -- Liens - Gives marinas same enforcement of lien on vessels or personal watercraft as garagekeepers have on vehicles in their possession. Amends TCA Title 66, Chapter 19, Part 2. by *Bittle.

***House Bill No. 199** -- State Government - Designates official state fossil to be named by general assembly with assistance from elementary students. Amends TCA Title 4, Chapter 1. by *Arriola.

***House Bill No. 200** -- Physicians and Surgeons - Authorizes physicians to use chelation therapy until February 1, 2002, and requires board of medical examiners to report on study of chelation therapy before it may promulgate rules; authorizes board to issue certain rules after February 1, 2002. Amends TCA Title 63, Chapter 6. by *Arriola.

***House Bill No. 201** -- Tort Liability - Increases local governmental tort liability limits to make such limits consistent with those currently established for state government. Amends TCA Section 29-20-202; Section 29-20-311; Section 29-20-403; Section 29-20-404 and Section 55-8-108. by *Arriola.

***House Bill No. 202** -- Tort Liability - Increases certain governmental tort liability limits. Amends TCA Section 9-8-307; Section 29-20-311; Section 29-20-403; Section 29-20-404; Section 29-20-202 and Section 55-8-108. by *Arriola.

***House Bill No. 203** -- Health Care - Revises legislative findings for long-term care services plan; makes other changes on time certain reports must be made prior to filing waiver and setting individual expenditure limit within waiver. Amends TCA Title 71, Chapter 5, Part 14. by *Arriola.

***House Bill No. 204** -- Motor Vehicles, Titling and Registration - Makes registration for freight trailers, semi-trailers, and pole trailers renewable annually, instead of continuing as valid for duration of owner's interest in vehicle, and dedicates revenues from renewals to fund certain long-term care services. Amends TCA Title 55, Chapter 4 and Title 71. by *Arriola.

***House Bill No. 205** -- Insurance, Motor Vehicles - Requires proof of financial responsibility upon being charged with certain motor vehicle offenses; not having proof of financial responsibility available is Class C misdemeanor, punishable by fine only. Amends TCA Title 55 and Title 56. by *Arriola.

***House Bill No. 206** -- Pharmacy, Pharmacists - Enacts "Volunteer Prescription Drug Purchasing Group Act." Amends TCA Title 56; Title 63 and Title 71. by *Arriola.

***House Bill No. 207** -- Highway Signs - Specifies dimensions of service signs whose message pertains to religious organization. Amends TCA Title 54, Chapter 21, Part 1. by *Fraleigh.

House Bill No. 208 -- Criminal Offenses - Creates Class E felony offenses of unlawful use of theft detection shielding device and unlawful removal of theft detection device; creates Class A misdemeanor offenses of unlawful possession of theft detection shielding device and unlawful possession of theft detection device remover; makes activation of anti-shoplifting device grounds for detention by owner or employee of establishment. Amends TCA Title 39, Chapter 14, Part 1. by *Westmoreland.

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***House Bill No. 209** -- Taxes, Real Property - Authorizes legislative body of county or municipality to adjust calculation of certified tax rate to account for projected increase in cost of services provided by county or municipality using certain method and recognized index. Amends TCA Section 67-5-1701. by *Cole (Dyer).

House Bill No. 210 -- Morristown - Subject to local approval, revises charter on filling vacancies in office of mayor; places restrictions on council member from qualifying as candidate for office of mayor. Amends Chapter 103 of the Acts of 1903; as amended, by *Ford S.

***House Bill No. 211** -- Attorney General and Reporter - Removes requirement that to receive credit for services rendered as attorney general member must have been employed as attorney general on date that state assumed employee contributions on behalf of such attorney general. Amends TCA Section 8-34-627. by *Ford S.

***House Bill No. 212** -- Barbers - Revises certain provisions for barbers. Amends TCA Title 62, Chapter 3, Part 1. by *Ford S.

***House Bill No. 213** -- Cosmetology - Reduces number of continuing education hours every two years to maintain cosmetology instructor's license from 24 hours to 16 hours; requires all applicants taking examinations for cosmetologist license to be able to read, write, and comprehend English language. Amends TCA Title 62, Chapter 4, Part 1. by *Ford S.

***House Bill No. 214** -- School Districts, Special - Allows county or municipal school systems to convert to be special school districts. Amends TCA Title 49, Chapter 2, Part 5. by *Davis (Cocke).

***House Bill No. 215** -- Teachers, Principals and School Personnel - Revises provisions on evaluation of certified personnel by local school boards to include directors of schools; excludes evaluation conferences from public meetings requirements. Amends TCA Section 49-2-203(a)(14). by *Davis (Cocke).

***House Bill No. 216** -- Advertising - Removes outdoor advertising devices for houses of worship from being required to have permit or fee paid for such devices and removes prohibition on such devices on interstate or primary highway system; both provisions are subject to federal approval. Amends TCA Section 54-21-104 and Section 54-21-103. by *Davis (Cocke).

***House Bill No. 217** -- Highways, Roads and Bridges - Permits bulldozer equipment with blade of not more than 14 feet in width to be transported on highways without time of movement restrictions, an escort vehicle, or removing blade. Amends TCA Title 55, Chapter 7, Part 2. by *Davis (Cocke).

***House Bill No. 218** -- County Government - Adds Sullivan County to Loudon, Campbell, Anderson, and Blount counties, who by two-thirds vote of county legislative body, may exercise additional powers granted to municipalities regarding nuisances and things detrimental to health, morals, comfort, safety, convenience, or welfare of county residents. Amends TCA Section 5-1-118. by *Westmoreland.

***House Bill No. 219** -- Motor Vehicles, Titling and Registration - Authorizes issuance of disabled veteran plates for motor vehicles registered or leased jointly to disabled veteran and spouse. Amends TCA Title 55, Chapter 4. by *McDonald, *Ridgeway, *Fowkes.

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***House Bill No. 220** -- State Symbols - Adds words "In God We Trust" to state flag. Amends TCA Section 4-1-301. by *Windle.

***House Bill No. 221** -- Municipal Government - Authorizes municipal corporations and metropolitan governments to regulate or prohibit discharge of weapons or operation of other weapons within corporate limits. Amends TCA Title 6, Chapter 54. by *Odom.

***House Bill No. 222** -- Game and Fish Laws - Requires permission of owner of dwelling house within 100 yards if hunting big game within municipality or urban services district in Shelby, Davidson, Knox, or Hamilton Counties. Amends TCA Title 70, Chapter 4, Part 1. by *Odom.

***House Bill No. 223** -- DUI/DWI Offenses - Decreases from .10% to .08% blood alcohol content for DUI presumption of intoxication; deletes offense of adult DWI. Amends TCA Title 55, Chapter 10 and Title 55, Chapter 50. by *Lewis, *Davidson, *Curtiss, *Rhinehart, *Ferguson, *Jones, S., *Fraleigh, *Windle, *Hargrove, *Ridgeway, *Hood, *Arriola, *Caldwell.

***House Bill No. 224** -- Education - Provides for extended-year reading instruction program. Amends TCA Title 49, Chapter 2. by *McKee, *Montgomery, *Roach.

***House Bill No. 225** -- Pensions and Retirement Benefits - Allows surviving spouses of retirees who elected to retain state group insurance to continue such coverage on death of spouse regardless of retirement option chosen by deceased spouse. Amends TCA Title 8, Chapter 27, Part 2 and Title 8, Chapter 27, Part 3. by *McKee.

***House Bill No. 226** -- Highway Signs - "Englewood Veterans Memorial Highway," U.S. Highway 411 within corporate limits of Town of Englewood. by *McKee.

House Bill No. 227 -- Handgun Permits - Allows handgun carry permittee to possess handgun while within confines of building where alcoholic beverages are sold for off-premises consumption, so long as business does not prohibit such possession; possession on premises where alcoholic beverages sold for on-premises consumption still prohibited. Amends TCA Section 39-17-1305. by *Buck.

***House Bill No. 228** -- Motor Vehicles, Titling and Registration - Changes expiration date for special purpose plates for dealers from March 31 to May 31 each year. Amends TCA Title 55, Chapter 4. by *McDonald, *Ridgeway, *Fowlkes.

House Bill No. 229 -- State Employees - Redefines "years of service" for purpose of participation in state's group insurance plan; makes various changes in TCRS; establishes procedure for responding to subpoena for deferred compensation plan records. Amends TCA Sections 8-27-205(b)(2), 8-27-302(d)(3), 8-34-101(34), 8-34-206(d), 8-34-302(a)(10), 8-35-403(d)(2), 8-35-404, 8-36-108(b)(5), 8-36-109, 8-36-117, 8-36-604, 8-36-607 and 8-37-220(a); and Title 8, Chapter 25, Parts 1 and 3, and Title 8, Chapter 36, Part 8. by *Rhinehart.

House Bill No. 230 -- Pensions and Retirement Benefits - Corrects internal cross-reference to TCA section regarding definition of member of superseded retirement system. Amends TCA Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36; Title 8, Chapter 37. by *Rhinehart.

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House Bill No. 231 -- State Employees - Directs individuals administering or providing services to deferred or tax sheltered compensation plans to respond to subpoena with required documents and specified affidavit within 14 days of service. Amends TCA Title 8, Chapter 25, Parts 1, 3, and 5. by *Rhinehart.

***House Bill No. 232** -- Pharmacy, Pharmacists - Enacts "Tennessee Prescription Fair Pricing Act." Amends TCA Title 56; Title 63 and Title 71. by *Turner (Davidson).

***House Bill No. 233** -- Pharmacy, Pharmacists - Enacts "Senior Citizen Prescription Drug Discount Program Act." Amends TCA Title 56; Title 63 and Title 71. by *Turner (Davidson).

House Bill No. 234 -- Motor Vehicles, Titling and Registration - Revises procedure for allocation of funds produced from sale of Friends of Great Smoky Mountains specialty earmarked license plates. Amends TCA Section 55-4-271. by *Montgomery.

***House Bill No. 235** -- Taxes - Grants counties local option to levy real estate transfer tax in amount not to exceed rate of state transfer tax. Amends TCA Title 67, Chapter 4. by *Rhinehart.

***House Bill No. 236** -- Consumer Protection - Requires credit-reporting agencies to provide free annual reports to consumers and to notify consumers of dissemination of credit information. Amends TCA Title 47, Chapter 18. by *Patton, *Ford S.

***House Bill No. 237** -- Insurance, Motor Vehicles - Enacts "Tennessee Motor Vehicle Insurance Act of 2001." Amends TCA Title 55 and Title 56. by *Patton.

***House Bill No. 238** -- Education - Allows public school students to be excused from classes for off-campus weekday religious instruction for not more than two hours per week for elementary students and not more than five hours per week for secondary school students. Amends TCA Title 49, Chapter 6, Part 30. by *Patton.

***House Bill No. 239** -- Child Custody and Support - Authorizes court that establishes or enforces child support to require obligee to report to court on disposition of child support payments, including accounting of future expenditures. Amends TCA Title 36, Chapter 5, Part 1. by *Patton.

***House Bill No. 240** -- Child Custody and Support - Authorizes court to consider divorcing parent's refusal to attend educational session as evidence of parent's lack of good faith under parenting plan proceedings. Amends TCA Title 36, Chapter 6, Part 1. by *Patton.

***House Bill No. 241** -- Computers and Electronic Processing - Enacts "Tennessee Personal and Commercial Computer Protection Act." by *Patton, *Ford S.

***House Bill No. 242** -- Naming and Designating - Names new National Guard armory in Johnson City in honor of Colonel Clarence W. Taylor. by *Patton.

***House Bill No. 243** -- Boats, Boating - Requires watercraft over 16' and not principally used for fishing to be licensed. Amends TCA Title 69, Chapter 10. by *Patton.

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***House Bill No. 244** -- Human Rights - Specifies civil penalties under THRA relative to print media engaged in discriminatory practices; current remedies not to apply to print media. Amends TCA Title 4, Chapter 21. by *Williams (Williamson).

House Bill No. 245 -- Dentists - Authorizes board of dentistry to utilize one or more screening panels in its investigative and disciplinary process. Amends TCA Title 63, Chapter 5, Part 1. by *Williams (Williamson).

***House Bill No. 246** -- Landlord and Tenant - Clarifies that counties specifically excluded under Uniform Residential Landlord and Tenant Act shall remain excluded notwithstanding results of 2000 federal census or any subsequent federal census. Amends TCA Section 66-28-102. by *Williams (Williamson).

***House Bill No. 247** -- School Transportation - Specifies requirements for transporting special-needs or medically-frangible school students. Amends TCA Title 49, Chapter 6, Part 21. by *Williams (Williamson).

***House Bill No. 248** -- Probation and Parole - Establishes statutory duties for private entities providing misdemeanor probation services and requires such entities to have \$25,000 performance bond and policy of liability insurance in effect and on file with appropriate clerk. Amends TCA Section 40-35-302. by *Scroggs.

***House Bill No. 249** -- Criminal Offenses - Imposes stronger penalty for and broadens definition of custodial interference. Amends TCA Section 39-13-306. by *Scroggs.

***House Bill No. 250** -- Traffic Safety - Requires driver to operate vehicle at safe speed, maintain safe lookout, and use due care to keep vehicle under control. Amends TCA Title 55, Chapter 8, Part 1. by *Scroggs.

***House Bill No. 251** -- Education - Provides for pilot summer reading programs, modeled after West Virginia "Energy Express" program. by *Scroggs.

***House Bill No. 252** -- Local Government, General - Removes metropolitan form of government restriction from county and municipal planning and zoning provisions. Amends TCA Title 13, Chapter 7, Part 1 and Title 13, Chapter 7, Part 2. by *Scroggs.

***House Bill No. 253** -- Budget Procedures - Creates performance-based budget review pilot project. Amends TCA Title 9, Chapter 4 and Title 13, Chapter 5. by *Scroggs.

House Bill No. 254 -- Lauderdale County - Subject to local approval, decreases county highway commission from two members to one member. Amends Chapter 304 of the Private Acts of 1929; as amended. by *Fitzhugh.

House Bill No. 255 -- Highways, Roads and Bridges - Authorizes any entity with eminent domain authority to extend right-of-way of two-lane undivided public road. Amends TCA Section 54-22-101. by *Scroggs.

***House Bill No. 256** -- TennCare - Changes from quarterly to bi-annual accounting of pharmacy rebate program that bureau of TennCare provides to comptroller. Amends TCA Title 71. by *Bowers.

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***House Bill No. 257** -- Death - Authorizes registered nurse in nursing home to certify death if death was expected and physician issues death certificate. Amends TCA Section 68-3-511. by *Garrett.

***House Bill No. 258** -- Funeral Directors and Embalmers - Requires proposed continuing education courses be submitted to board 60 days in advance; authorizes amendments to courses to be submitted 30 days in advance; requires board to give its approval or nonapproval of courses 30 days before event; requires board to give its approval or nonapproval of amendment to course 10 days before event. Amends TCA Section 62-5-605. by *Garrett.

***House Bill No. 259** -- Funeral Directors and Embalmers - Reduces, from 60 to 30 days, time by which application for continuing education seminar must be approved. Amends TCA Section 62-5-605. by *Garrett.

***House Bill No. 260** -- Forest and Forest Products - Enacts "Tennessee Forest Resources Conservation Act of 2001." Amends TCA Title 11, Chapter 4 and Title 69, Part 1. by *Odom.

***House Bill No. 261** -- DUI/DWI Offenses - Decreases from .10% to .08% blood alcohol content for DUI presumption of intoxication; deletes offense of adult DWI. Amends TCA Title 55, Chapter 10 and Title 55, Chapter 50. by *Beavers, *Rowland, *Westmoreland, *Overbey, *Montgomery, *Windle, *Newton, *Goins, *Whitson, *Baird, *Todd, *Caldwell, *Fraleigh, *Davis (Cocke), *Davis (Washington), *Godsey, *Mumpower, *Patton, *Sharp, *Harwell, *Hagood, *Bunch, *Walker, *McDaniel, *Wood, *Ford S, *Briley

***House Bill No. 262** -- Hazardous Materials - Deletes statutory requirement for annual publication of report documenting expenditures from hazardous waste remedial action fund; deletes statutory requirement for annual public hearing, within each grand division, regarding such expenditures. Amends TCA Title 68, Chapter 212. by *Curtiss.

***House Bill No. 263** -- Environmental Preservation - Reduces, from "ninety days" to "sixty calendar days", period in which commissioner of environment and conservation must notify complainant regarding commissioner's actions or determinations relative to alleged violation of Petroleum Underground Storage Tank Act. Amends TCA Title 68. by *Curtiss.

***House Bill No. 264** -- Water - Deletes statutory authority for creation of water pollution control division's advisory committee on removal of stream debris and stabilization of stream banks. Amends TCA Title 69. by *Curtiss.

***House Bill No. 265** -- Environmental Preservation - Deletes outdated language concerning 7/1/91 effective date of initial rules establishing fees for Tennessee environmental protection fund. Amends TCA Title 68, Chapter 203. by *Curtiss.

***House Bill No. 266** -- Solid Waste Disposal - Deletes statutory authorization for appointment and convening of recycling market advisory council. Amends TCA Title 68, Chapter 211. by *Curtiss.

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***House Bill No. 267** -- Water Pollution - Deletes language declaring violation of Safe Drinking Water Act, or of regulations promulgated by Water Quality Control Board, to be public nuisance that may be abated by any means provided by law. Amends TCA Title 68, Chapter 221. by *Curtiss.

***House Bill No. 268** -- Air Pollution - Deletes governor's statutory authority for removing appointed members of air pollution control board during their appointed terms of office. Amends TCA Title 68, Chapter 201. by *Curtiss.

***House Bill No. 269** -- Insurance, Health, Accident - Revives and reauthorizes Tennessee comprehensive health insurance pool. Amends TCA Title 56. by *Kernell.

House Bill No. 270 -- Managed Care Organizations - Requires commissioner of commerce and insurance in consultation with commissioner of health to promulgate by rule uniform claims process for TennCare MCOs and providers. Amends TCA Title 56 and Title 71. by *Williams (Williamson).

House Bill No. 271 -- Managed Care Organizations - Requires managed care organization to be able to provide precertifications and authorizations for medical care for TennCare enrollees to hospitals and other medical care providers on 24-hour per day and 7 day per week basis. Amends TCA Title 56 and Title 71. by *Williams (Williamson).

***House Bill No. 272** -- Statutes - Codifies public acts of 2000. by *Davidson, *Rinks.

***House Bill No. 273** -- Education - Provides for consolidation of school systems to one per county by September 1, 2004. Amends TCA Title 49. by *Davidson, *Rinks.

House Bill No. 274 -- Redistricting, Congressional - Requires congressional districts to be redistricted within one year after receiving PL 94-171 data from federal enumeration of population. Amends TCA Title 2. by *Davidson, *Rinks, *McDonald, *Arriola.

House Bill No. 275 -- Redistricting, Legislative - Clarifies that senate must comply with applicable federal statutes. Amends TCA Title 2 and Section 3-1-102. by *Davidson, *Rinks, *McDonald, *Arriola.

House Bill No. 276 -- Redistricting, Legislative - Clarifies that state house districts must comply with all federal statutes and court decisions. Amends TCA Title 2 and Section 3-1-103. by *Davidson, *Rinks, *McDonald, *Arriola.

House Bill No. 277 -- Redistricting, Congressional - Declares intent that congressional redistricting shall comply with federal and state constitutional mandates and applicable judicial decisions. Amends TCA Title 2 and Title 3. by *Davidson, *Rinks, *McDonald, *Arriola.

***House Bill No. 278** -- Tennessee Wildlife Resources Agency - Requires agency to reimburse vehicle owners for damages to vehicle caused by elk reintroduced to Tennessee by agency in 2000. Amends TCA Title 70, Chapter 1. by *Davidson.

House Bill No. 279 -- Charitable Solicitations - Revises annual report requirements for certain charitable organizations; assesses late fees for certain reports and applications filed with secretary of state. Amends TCA Title 48, Chapter 101, Part 5. by *Davidson.

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House Bill No. 280 -- Administrative Procedure (UAPA) - Revises from 10 days to 15 days when initial order issued in contested case under UAPA becomes final. Amends TCA Section 4-5-318. by *Davidson.

House Bill No. 281 -- Solid Waste Disposal - Prohibits landfill from being permitted or constructed in Davidson County if only access to landfill is off county road which runs through residential neighborhood that is located within two miles of landfill where more than 50 people reside. Amends TCA Title 68, Chapter 211, Part 1. by *Turner (Davidson).

House Bill No. 282 -- Solid Waste Disposal - Prohibits landfill from being permitted or constructed in Davidson County if landfill is located within two miles of park or other government recreation facility. Amends TCA Title 68, Chapter 211, Part 1. by *Turner (Davidson).

***House Bill No. 283** -- Handgun Permits - Requires department of safety to study feasibility of combining handgun carry permit and driver license for Tennesseans who have both; results of study to be reported to general assembly no later than 2/1/2002 with recommendations and suggested legislation. Amends TCA Section 39-17-1351. by *Turner (Davidson).

House Bill No. 284 -- Domestic Violence - Requires all firefighters, law enforcement officers, and emergency medical services personnel to receive domestic violence training. Amends TCA Title 4, Chapter 24; Title 38, Chapter 8, Part 1 and Title 68, Chapter 140. by *Turner (Davidson).

House Bill No. 285 -- Employees, Employers - Prohibits employer from charging check cashing fee to its own employee if employee is cashing company's payroll check. Amends TCA Title 50, Chapter 2, Part 1. by *Turner (Davidson).

House Bill No. 286 -- Sewage - Exempts any county having metropolitan form of government and municipalities with sewer bond rating of at least AA or whose cash balance exceeds 50 percent of annual wastewater operating expenses from certain requirements regarding operating deficits. Amends TCA Section 68-221-1010. by *Scroggs.

***House Bill No. 287** -- State Symbols - Designates Tennessee Aviation Hall of Fame in Sevier County as official state aviation hall of fame. Amends TCA Title 4, Chapter 1, Part 3. by *Montgomery.

***House Bill No. 288** -- Sheriffs - Clarifies that diploma from college that requires high school education as prerequisite to admission is sufficient proof of being high school graduate or its equivalent for purpose of being qualified for office of sheriff. Amends TCA Title 8, Chapter 8 and Title 38, Chapter 8. by *Hargett.

House Bill No. 289 -- Municipal Government - Authorizes special assessments for flood control. Amends TCA Title 7, Chapter 32. by *Sharp.

House Bill No. 290 -- Taxes, Ad Valorem - Deletes extension of due date of property taxes for member of armed forces serving in war. Amends TCA Title 67. by *Sharp.

House Bill No. 291 -- Environmental Preservation - Authorizes local governments designated as MS4s by environmental protection agency to develop stormwater management systems. Amends TCA Title 68, Chapter 221. by *Sharp, *Overbey.

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***House Bill No. 292** -- Metropolitan Government - Makes binding in Davidson County memoranda of understanding voluntarily entered into; requires two-thirds vote of county legislative body; requires "no strike" clauses be included in any such memoranda of understanding. Amends TCA Title 7, Chapter 3, Part 1. by *Jones, S., *Turner (Davidson), *Arriola, *West, *Langster.

***House Bill No. 293** -- Unemployment Compensation - Bases individual's weekly benefit amount for unemployment insurance on highest quarter in individual's base period in which total wages were highest. Amends TCA Section 50-7-301. by *West.

***House Bill No. 294** -- Funeral Directors and Embalmers - Authorizes examination for funeral directors to be given more than twice per year; extends registration from one year to two years; deletes requirement that all members of funeral board sign funeral director's license. Amends TCA Title 62, Chapter 5. by *Garrett.

***House Bill No. 295** -- Taxes - Authorizes counties to impose local option realty transfer tax. Amends TCA Title 67, Chapter 4, Part 5. by *Head.

***House Bill No. 296** -- Motor Vehicles, Titling and Registration - Increases from three to five years period of moratorium for re-issuance of special license plates deemed obsolete and invalid; defines "a plate substantially the same in appearance or content" for purposes of moratorium. Amends TCA Title 55 and Title 67. by *Head.

***House Bill No. 297** -- Driver Licenses - Increases from 10 days to 20 days time in which department of safety must notify licensing state and commercial driver license information system that commercial driver has violated traffic law; increases from 10 days to 20 days time in which clerk must notify department of conviction of commercial driver violating traffic law. Amends TCA Title 54; Title 55 and Title 67. by *Head.

***House Bill No. 298** -- General Assembly - Authorizes chief clerk of either house to serve subpoenas issued by general assembly. Amends TCA Title 3; Title 4; Title 8; Title 54; Title 55; Title 65 and Title 67. by *Head.

***House Bill No. 299** -- Railroads - Authorizes conductor to put off non-paying passenger at any regular station. Amends TCA Title 65 and Title 67. by *Head.

***House Bill No. 300** -- Education, Higher - Provides that military personnel who have previously taken courses at Austin Peay State University's Fort Campbell site can continue taking on-line courses from Austin Peay at in-state tuition rates. Amends TCA Title 49, Chapter 8 and Title 49, Chapter 7. by *Head, *McMillan.

***House Bill No. 301** -- Victims' Rights - Enacts "Victim Specialist Certification Act." Amends TCA Title 40, Chapter 38. by *McMillan.

***House Bill No. 302** -- Criminal Offenses - Includes email and internet services as means by which person may commit offense of harassment. Amends TCA Title 39, Chapter 17. by *Briley.

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House Bill No. 303 -- Sexual Offenses - Clarifies that offenses of sexual exploitation of minor and aggravated sexual exploitation of minor include possession of material with what is represented to be minor engaged in sexual activity. Amends TCA Title 39, Chapter 17, Part 10. by *McMillan.

***House Bill No. 304** -- Sexual Offenses - Redefines "material" to include any text or image on computer hard drive, computer disks, or other medium designed to store information for later retrieval. Amends TCA Title 39, Chapter 17, Part 10. by *McMillan.

***House Bill No. 305** -- Victims' Rights - Requires additional victim-witness coordinator positions in certain judicial districts. Amends TCA Title 8, Chapter 7; Title 9 and Title 67. by *McMillan.

House Bill No. 306 -- Criminal Procedure - Permits evidence of defendant's prior convictions for sex offenses to be introduced and considered as relevant at any trial in which defendant is charged with specified sex offense. Amends TCA Title 40, Chapter 17. by *Scroggs.

***House Bill No. 307** -- Victims' Rights - Redefines duties of victim-witness coordinators. Amends TCA Title 8, Chapter 7. by *Scroggs.

***House Bill No. 308** -- Criminal Offenses - Creates Class A felony to sell or possess with intent to sell 100 grams or more of any substance containing DMA or MDMA; creates Class B felony to sell or possess with intent to sell 25 grams or more of any substance containing DMA or MDMA. Amends TCA Title 39, Chapter 17. by *Newton.

***House Bill No. 309** -- Sentencing - Requires sentence for crime committed while on community corrections program to run cumulatively to offense for which defendant was sentenced to such program. Amends TCA Title 40, Chapter 20. by *Westmoreland.

***House Bill No. 310** -- District Attorneys - Adds additional assistant district attorney general position in 29th judicial district. Amends TCA Title 16, Chapter 2. by *Cole (Dyer).

***House Bill No. 311** -- District Attorneys - Adds one additional assistant district attorney general position in 3rd and 29th judicial districts. Amends TCA Title 16, Chapter 2. by *Cole (Dyer).

***House Bill No. 312** -- District Attorneys - Increases assistant district attorneys general positions for certain judicial districts. Amends TCA Title 8, Chapter 14 and Title 16, Chapter 2. by *Buck.

***House Bill No. 313** -- District Attorneys - Creates additional assistant district attorney positions and assistant public defender positions. Amends TCA Title 8, Chapter 14 and Title 16, Chapter 2. by *Buck.

***House Bill No. 314** -- Agriculture - Creates "Tennessee Biobased Product Education Program" and related information network. Amends TCA Title 43. by *Bowers.

***House Bill No. 315** -- Employees, Employers - Requires employers to grant certain leave from work to employees who are victims of crime. Amends TCA Title 50. by *Bowers.

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***House Bill No. 316** -- Motor Vehicles - Prohibits motor vehicle dealer from selling pre-owned motor vehicle in municipalities or counties that require emissions or safety inspection as condition to issuance of certificate of registration unless vehicle has received valid inspection certificate within 180 days prior to sale. Amends TCA Section 55-4-128. by *Bowers.

House Bill No. 317 -- Economic and Community Development - Creates community development tax incentive task force to develop and oversee implementation of low to moderate income housing and community development program. Amends TCA Title 4, Chapter 3, Part 7. by *Bowers.

House Bill No. 318 -- Insurance, Motor Vehicles - Prohibits setting motor vehicle insurance rates by zip code; violating such prohibition is unfair discrimination. Amends TCA Title 56, Chapter 5, Part 3. by *Bowers.

House Bill No. 319 -- Economic and Community Development - Requires that at least 5 percent annually of grant funding available for distribution from Tennessee industrial infrastructure program be used solely for restoration and development of brownfields to be used by income-producing business enterprises. Amends TCA Title 4, Chapter 3, Part 7 and Title 9, Chapter 4. by *Bowers.

House Bill No. 320 -- Nuclear Materials, Transportation and Safety - Imposes certain requirements on shipment of spent nuclear fuel and high level radioactive waste. Amends TCA Title 54; Title 55; Title 65 and Title 68. by *Bowers.

House Bill No. 321 -- Election Laws - Prohibits use of punch card voting systems in state and federal elections after January 1, 2004. Amends TCA Title 2. by *Buck.

***House Bill No. 322** -- Judges and Chancellors - Enacts "Tennessee Judicial Election Reform Act of 2001." Amends TCA Title 49, Chapter 7, Part 21. by *Buck.

House Bill No. 323 -- Victims' Rights - Qualifies bar against present claim under victim compensation act that injury occurred while victim was willing passenger in vehicle driven by intoxicated driver to require that victim must know that driver was intoxicated. Amends TCA Title 29, Chapter 13, Part 1. by *Buck.

***House Bill No. 324** -- Public Defenders - Restates and clarifies procedures relating to district public defenders conference. Amends TCA Title 8, Chapter 14 and Title 9, Chapter 4. by *Buck.

***House Bill No. 325** -- Tennessee Bureau of Investigation - Restates and clarifies procedures and policies of TBI. Amends TCA Title 9, Chapter 4; Title 38, Chapter 6 and Title 40, Chapter 39. by *Buck.

House Bill No. 326 -- Attorney General and Reporter - Restates and clarifies provisions pertaining to office of attorney general and reporter. Amends TCA Title 4, Chapter 3, Part 15; Title 8, Chapter 6 and Title 9, Chapter 4. by *Buck.

***House Bill No. 327** -- Courts, Administrative Office of the - Extends TnCIS steering committee from period not to exceed five years from 6/30/99 to period not to exceed five years from 6/30/00. Amends TCA Title 16, Chapter 3, Part 8. by *Buck.

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House Bill No. 328 -- Local Government, General - Requires municipalities and counties to act in best interest of all citizens with state and local revenues so services will be provided in most cost-effective manner possible. Amends TCA Titles 5; 6; 7; 13; 54; 57; 67; 68 and 69. by *Buck.

House Bill No. 329 -- Taxes, Sales - Reduces from 90 to 60 days time period in which dealer may deduct taxes paid on items returned upon which refund has been made. Amends TCA Title 67. by *Buck.

House Bill No. 330 -- State Government - Makes various changes to improve efficiencies and revenues of various entities of state government. Amends TCA Title 4; Title 8; Title 9; Title 16; Title 17; Title 18; Title 37; Title 38; Title 39; Title 40; Title 41 and Title 67. by *Buck.

***House Bill No. 331** -- Judges and Chancellors - Updates procedure for electing new judges to include judges elected in 2000, 2002, 2004, and 2006. Amends TCA Title 16, Chapter 2. by *Buck.

***House Bill No. 332** -- Process, Service of - Increases penalty for neglect of clerk, general sessions judge, or attorney to mark date process was issued and neglect of sheriff or other officer to mark date process was received from \$125 to \$150. Amends TCA Title 20. by *Buck.

***House Bill No. 333** -- Debtor Creditor Relations - Allows judgment creditor to serve interrogatories limited to issues relative to recovery of assets on third party whom such creditor believes possesses property of judgment debtor. Amends TCA Title 29. by *Buck.

***House Bill No. 334** -- Courts - Adds member of fiscal review committee, to be jointly appointed by speakers, to TnCIS. Amends TCA Title 16; Title 18; Title 38 and Title 40. by *Buck.

House Bill No. 335 -- Eminent Domain - Requires that posted bond for two times amount of appraisal continue upon taking of appeal. Amends TCA Title 29, Chapter 16 and Title 54, Chapter 14. by *Buck.

***House Bill No. 336** -- Law Enforcement - Provides that if \$15.00 of handgun carry permit fee allocated to TBI is used for three consecutive months for purposes other than for what it was intended, \$15.00 part of permit fee is repealed. Amends TCA Title 8; Title 38; Title 39 and Title 41. by *Buck.

***House Bill No. 337** -- Alcoholic Beverages - Increases from 20 to 25 days time period in which manufacturers and wholesale distributors of beer must register with commissioner of revenue. Amends TCA Title 57. by *Buck.

***House Bill No. 338** -- Public Records - Requires chief administrative officer of each government entity to inform each employee responsible for public records relative to provisions of public record law and each entity's policy relative to public records. Amends TCA Title 10. by *Buck.

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***House Bill No. 339** -- Appeal and Review - Revises time for appeal from recorder's judgment from 10 calendar days with Sundays excluded to 10 business days. Amends TCA Title 27. by *Buck.

***House Bill No. 340** -- Sheriffs - Requires person seeking office of sheriff to file affidavit of qualification with POST commission 60 days prior to qualification deadline; requires POST commission to verify POST certification 30 days prior to qualifying deadline. Amends TCA Title 8, Chapter 8, Part 1. by *Buck.

***House Bill No. 341** -- Handgun Permits - Makes annual statistical report compiled by department of safety of handgun permits issued, denied, revoked, or suspended available upon request of each member of general assembly rather than requiring it be distributed to each member. Amends TCA Title 39, Chapter 17, Part 13. by *Buck.

***House Bill No. 342** -- Law Enforcement - Revises membership of Tennessee peace officer standards and training commission. Amends TCA Title 38. by *Buck.

***House Bill No. 343** -- Public Defenders - Authorizes creation of one assistant district public defender position for 13th, 15th, 21st, 22nd and 26th judicial districts. Amends TCA Title 8, Chapter 14, Part 2. by *Buck.

House Bill No. 344 -- Ethics - Requires persons or entities doing business with state, or subsidiaries or contractors of such persons or entities, who pay consulting fee to legislative or executive branch official or immediate family of such official, to disclose to registry of election finance certain information relative to such fee; requires members of general assembly to make same disclosure relative to consulting fees received. Amends TCA Title 2, Chapter 10; Title 3 and Title 12. by *Buck.

***House Bill No. 345** -- Attorneys at Law - Increases from Class A misdemeanor to Class E felony offense of engaging in unauthorized practice of law, but makes possible punishment fine only. Amends TCA Title 23, Chapter 3. by *Buck.

***House Bill No. 346** -- Process, Service of - Increases penalty, from \$125 to \$150, for failure of sheriff or other officer to execute and make timely and proper return of any process. Amends TCA Title 25. by *Buck.

***House Bill No. 347** -- Courts, Administrative Office of the - Restates and clarifies procedures and policies pertaining to administrative office of courts. Amends TCA Title 9, Chapter 4; Title 16; Title 17 and Title 18. by *Buck.

***House Bill No. 348** -- Criminal Offenses - Clarifies that in criminal case arrest history of defendant or potential witness can be released to attorney of record's employee as well as attorney. Amends TCA Title 40, Chapter 32. by *Buck.

***House Bill No. 349** -- Clerks, Court - Increases from \$40.00 to \$50.00 fee clerk may charge for expunging defendant's record upon dismissal of charges following defendant's completion of pre-trial or post-plea diversion. Amends TCA Title 6; Title 8; Title 16; Title 20; Title 36; Title 39; Title 40 and Title 67. by *Buck.

House Bill No. 350 -- Highway Signs - Defines "breakfast" for specific service-sign purposes. Amends TCA Title 54, Chapter 5, Part 11. by *Buck.

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***House Bill No. 351** -- Highways, Roads and Bridges - Exempts from escort and time restrictions transportation of bulldozer equipment less than 13 feet, 6 inches. Amends TCA Title 55, Chapter 7, Part 2. by *Buck.

***House Bill No. 352** -- Taxes, Sales - Redefines "farm equipment and machinery," for purposes of sales tax exemption, to include flat bed trailers used for over-the-road transportation in nursery business and cattle business. Amends TCA Title 67, Chapter 6. by *Buck.

***House Bill No. 353** -- Motor Vehicles, Titling and Registration - Prohibits person violating antique motor vehicle registration provisions from applying for such registration for ten years rather than five years. Amends TCA Title 55. by *Buck.

***House Bill No. 354** -- Cooperatives - Requires rural electric and community services cooperatives to have voting machine that reasonably accommodates voters in any contested election. Amends TCA Title 65, Chapter 25, Part 2. by *Buck.

***House Bill No. 355** -- Cooperatives - Increases certain filing fees to secretary of state from telephone cooperatives. Amends TCA Title 65, Chapter 29, Part 1. by *Buck.

***House Bill No. 356** -- State Government - Requires state boards, except law examiners, to retain examination papers for two years instead of one year. Amends TCA Title 4; Title 8 and Title 16. by *Buck.

***House Bill No. 357** -- Attorneys at Law - Increases amount of civil penalty for unauthorized practice of law from amount not to exceed \$1,000 per violation to amount not to exceed \$2,000 per violation; increases civil penalty for violating injunction or order issued to stop unauthorized practice of law from not more than \$2,000 to not more than \$4,000. Amends TCA Title 23. by *Buck.

***House Bill No. 358** -- Criminal Offenses - Provides that displaying or handling poisonous snake or reptile is Class A misdemeanor if such handling causes another to reasonably fear imminent bodily injury. Amends TCA Title 39, Chapter 17. by *Buck.

***House Bill No. 359** -- Children - Removes \$10,000 maximum for damages in actions against parent or legal guardian for conduct of minor child and designates action as civil action rather than action in assumpsit. Amends TCA Title 37, Chapter 10, Part 1. by *Buck.

***House Bill No. 360** -- Sports - Excludes licensed attorneys from sports agent permit requirement. Amends TCA Title 49, Chapter 7, Part 21. by *Buck.

House Bill No. 361 -- Criminal Offenses - Creates offense punishable as theft for adult who occupies authority figure role to receive anything of value and to use such role to coerce minor to attend particular institution of higher education without disclosing arrangement to minor and parents. Amends TCA Title 29; Title 35 and Title 39. by *Buck.

***House Bill No. 362** -- Local Education Agency - Allows counties to continue to have elected school superintendents upon two-thirds vote of county commission. Amends TCA Title 49, Chapter 2. by *Buck, *Winningham.

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***House Bill No. 363** -- Education - Allows county commissions by majority vote to re-establish office of county superintendent of public instruction to be popularly elected. Amends TCA Section 49-2-301. by *Buck.

***House Bill No. 364** -- Public Funds and Financing - Requires erection of signage at state capital projects including names and district numbers of members of general assembly who represent physical area in which such project is located. Amends TCA Title 4. by *Bowers, *Miller L.

***House Bill No. 365** -- Child Custody and Support - Extends child support duty to parent or parents of minor noncustodial parent; court to apply support guidelines to income of minor noncustodial parent but not to his or her parents; parents' share continues until noncustodial parent reaches 18 or class graduates. Amends TCA Title 36, Chapter 5, Part 1. by *Bowers.

House Bill No. 366 -- Taxes, Real Property - Increases full market value of property for elderly low-income homeowner tax relief program on which reimbursement is paid from \$18,000 to \$25,000. Amends TCA Section 67-5-702. by *Bowers.

***House Bill No. 367** -- Public Health - Enacts "Obesity Study and Prevention Act of 2001." Amends TCA Title 68, Chapter 1. by *Bowers.

***House Bill No. 368** -- Hospitals and Health Care Facilities - Establishes Center for Stroke Care Excellence at hospital in each grand division of state. Amends TCA Title 68. by *Bowers.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 128** -- Motor Vehicles, Titling and Registration -- House Transportation Committee

***House Bill No. 129** -- Fireworks -- House Commerce Committee

***House Bill No. 130** -- Workers' Compensation -- House Consumer and Employee Affairs

***House Bill No. 131** -- Naming and Designating -- House State and Local Government Committee

House Bill No. 132 -- Taxes, Excise -- House Finance, Ways and Means Committee

House Bill No. 133 -- Motor Vehicles, Titling and Registration -- House Transportation Committee

***House Bill No. 134** -- Bail, Bail Bonds -- House Judiciary Committee

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- House Bill No. 135** -- Sports -- House Education Committee
- *House Bill No. 136** -- Military -- House State and Local Government Committee
- House Bill No. 137** -- General Assembly -- House Agriculture Committee
- *House Bill No. 138** -- Alcoholic Offenses -- House Judiciary Committee
- *House Bill No. 139** -- Budget Procedures -- House Finance, Ways and Means Committee
- *House Bill No. 140** -- Criminal Offenses -- House Judiciary Committee
- *House Bill No. 141** -- Sentencing -- House Judiciary Committee
- *House Bill No. 142** -- Guardianship -- House Judiciary Committee
- *House Bill No. 143** -- Estates -- House Judiciary Committee
- House Bill No. 144** -- School Districts, Special -- Local Bill Held on House Desk
- *House Bill No. 145** -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee
- *House Bill No. 146** -- Criminal Procedure -- House Judiciary Committee
- *House Bill No. 147** -- Public Health -- House State and Local Government Committee
- *House Bill No. 148** -- General Assembly -- House State and Local Government Committee
- House Bill No. 149** -- Highway Signs -- House Transportation Committee
- House Bill No. 150** -- Cocke County -- Local Bill Held on House Desk
- *House Bill No. 151** -- Firearms and Ammunition -- House Judiciary Committee
- *House Bill No. 152** -- Gas, Petroleum Products, Volatile Oils -- House Finance, Ways and Means Committee
- House Bill No. 153** -- TennCare -- Caption Bill Held on House Desk
- House Bill No. 154** -- Local Government, General -- House State and Local Government Committee
- House Bill No. 155** -- Election Laws -- House State and Local Government Committee

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***House Bill No. 156** -- Taxes, Gasoline, Petroleum Products -- Caption Bill Held on House Desk

***House Bill No. 157** -- Transportation, Dept. of -- Caption Bill Held on House Desk

***House Bill No. 158** -- Safety -- Caption Bill Held on House Desk

***House Bill No. 159** -- Transportation, Dept. of -- Caption Bill Held on House Desk

***House Bill No. 160** -- Public Contracts -- Caption Bill Held on House Desk

***House Bill No. 161** -- Water -- Caption Bill Held on House Desk

House Bill No. 162 -- Local Government, General -- House State and Local Government Committee

***House Bill No. 163** -- Local Education Agency -- House Education Committee

***House Bill No. 164** -- Disabled Persons -- House Government Operations Committee

***House Bill No. 165** -- Auctions and Auctioneers -- House Commerce Committee

***House Bill No. 166** -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee

***House Bill No. 167** -- Criminal Offenses -- House Conservation and Environment Committee

***House Bill No. 168** -- Controlled Substances -- House Government Operations Committee

***House Bill No. 169** -- Death -- Caption Bill Held on House Desk

***House Bill No. 170** -- Limitation of Actions -- House Judiciary Committee

***House Bill No. 171** -- Alcoholic Offenses -- House Judiciary Committee

***House Bill No. 172** -- Limitation of Actions -- House Judiciary Committee

***House Bill No. 173** -- Criminal Procedure -- House Judiciary Committee

***House Bill No. 174** -- Attorneys at Law -- House Judiciary Committee

***House Bill No. 175** -- Traffic Safety -- House Transportation Committee

***House Bill No. 176** -- Jails, Local Loc -- House Government Operations Committee

***House Bill No. 177** -- Child Custody and Support -- House Children and Family Affairs Committee

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***House Bill No. 178** -- Taxes, Alcoholic Beverages -- Caption Bill Held on House Desk

***House Bill No. 179** -- Mental Retardation -- House Health and Human Resources Committee

***House Bill No. 180** -- Mental Health and Developmental Disabilities, Dept. of -- House Health and Human Resources Committee

***House Bill No. 181** -- Highway Signs -- House Transportation Committee

House Bill No. 182 -- Collection Agencies -- House Commerce Committee

House Bill No. 183 -- Police -- House State and Local Government Committee

***House Bill No. 184** -- Safety, Dept. of -- House State and Local Government Committee

***House Bill No. 185** -- Business and Commerce -- House Commerce Committee

***House Bill No. 186** -- Traffic Safety -- House Transportation Committee

***House Bill No. 187** -- Election Laws -- House State and Local Government Committee

***House Bill No. 188** -- Attorneys at Law -- Caption Bill Held on House Desk

***House Bill No. 189** -- Motor Vehicles, Titling and Registration -- House Transportation Committee

CONSENT CALENDAR

House Resolution No. 4 -- Memorials, Personal Achievement - David C. Roberts, Eagle Scout. by *Black.

House Joint Resolution No. 14 -- Memorials, Death - Clyde Emory Driskill, Jr. by *Davis (Cocke).

House Joint Resolution No. 15 -- Memorials, Professional Achievement - Andy Boswell, Cancer Research. by *Hargrove.

House Joint Resolution No. 16 -- Memorials, Retirement - Lawrence D. Boyd. by *Head.

House Joint Resolution No. 18 -- Memorials, Public Service - The Sarcoidosis Research Institute. by *Turner (Shelby).

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House Joint Resolution No. 19 -- Memorials, Personal Occasion - Mrs. Alversa Williams Lee, 90th birthday. by *Turner (Shelby).

House Joint Resolution No. 22 -- Memorials, Death - James Freeman Vines of Oak Ridge. by *Caldwell.

House Joint Resolution No. 23 -- Memorials, Personal Occasion - Pearl Weaver, 100th Birthday. by *Fraleigh.

House Joint Resolution No. 24 -- Memorials, Retirement - Lt. Jay Johnson, Germantown Police Department. by *Scroggs, *Kent, *Stanley.

House Joint Resolution No. 25 -- Memorials, Personal Achievement - Cyndie Swafford, National Multiple Sclerosis Mother of the Year. by *Walker.

House Joint Resolution No. 26 -- Memorials, Personal Achievement - Tracy S. Speake Germantown Lion's Club Citizen of the Year, 2000. by *Scroggs, *Kent, *Stanley.

Senate Joint Resolution No. 27 -- Memorials, Death - Trooper John Gregory Mann. by *Harper.

Rep. Fitzhugh moved that all members voting aye on Senate Joint Resolution No. 27 be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	97
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

Representatives present and not voting were: Brooks -- 1.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

BILLS WITHDRAWN

On motion of Rep. Scroggs, **House Bill No. 139** was recalled from the Finance Ways and Means Committee and withdrawn from the House.

RULES SUSPENDED

On motion of Representative Davidson, the rules were suspended to allow **House Resolution No. 3**, **House Joint Resolution No. 20** and **House Joint Resolution No. 21** to be heard in the State Government Subcommittee of the House State and Local Government Committee and if passed, be properly put on notice in the full House State and Local Government Committee, which motion prevailed.

ANNOUNCEMENTS

REPORT FILED

The Clerk announced that the report of the Fiscal Review Committee regarding state payments of costs and fees incurred in the prosecution of indigents has been filed with the Clerk's office and that the same is available for review.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 261: Rep(s). J. DeBerry, Johnson, Pleasant, Cooper, Curtiss, S. Jones, Bone, Hargett, Vincent, Sargent, West, Roach, Turner (Davidson), Pruitt, Black, Arriola, Stanley, Ridgeway, Hood, Hargrove, Kernell, Towns, Brooks, Odom, White, Shaw as prime sponsor(s).

House Bill No. 373: Rep(s). Davis (Washington) as prime sponsor(s).

ENROLLED BILLS
January 31, 2001

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 4; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

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**SIGNED
January 31, 2001**

The Speaker signed the following: House Resolution(s) No(s). 4.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS
January 31, 2001**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 14, 15, 16, 18, 19, 22, 23, 24, 25 and 26.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
January 31, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 27; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

**SIGNED
January 31, 2001**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 27.

ROLL CALL

The roll call was taken with the following results:

Present.....98

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

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RECESS MOTION

On motion of Rep. Davidson, the House stood in recess until 9:00 a.m., Thursday, February 1, 2001.